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**LLOYD EPSTEIN
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October 26, 2020

ECF and EngelmayerNYSDCChambers@nysd.uscourts.gov

Hon. Paul A. Engelmayer
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

**Re: United States v. William Knox
Dkt. No. 15-Cr-445 (PAE)
Request For Adjournment**

Dear Judge Engelmayer:

Mr. Knox is scheduled to appear before the Court on Thursday, October 29, 2020 for the continuation of a hearing as to whether Mr. Knox has complied with the term of his supervised release by finding a job.

As anticipated, Mr. Knox did find a job and began working as a warehouse worker for the Dollar Store on August 9th. We are requesting an adjournment of the October 29th hearing to a date in near the end January, 2021 because of an unforeseen circumstance: Mr. Knox lost his job on October 2, 2020 and has not yet obtained a replacement position.¹ I have spoken to AUSA Max Nicholas who consents to the adjournment on behalf of the United States Attorneys Office.

Since his termination, Mr. Knox has been actively seeking replacement employment, both through internet and walk in applications. He has applied for numerous warehouse, custodial, checkout clerk and similar entry level positions, several of which have resulted in interviews that are still in process. After he lost the Dollar Store warehouse job, Mr. Knox began, and successfully completed, a 30 hour OSHA training course in Construction Safety and Health that is mandatory for construction work in NY. As soon as the USPS delivers his certification card, Mr. Knox will be eligible for hire as a construction worker.² Mr. Knox has

¹ We attach as Exhibit A images of payroll confirmations for the period of Mr. Knox's employment

² We attach as Exhibit B, proof of Mr. Knox's enrollment and an image of the OSHA certification card the course instructor provided to us before mailing the original to Mr. Knox.

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been in close contact with counsel, updating counsel as interviews are scheduled and taking place, and, despite the complications imposed by his criminal record, we are confident that he will find another position soon.

Mr. Knox has been fully compliant with the other terms of his release. He continues to reside with his stepfather, Paul Donker and not at the Patterson Houses. He attends mandated substance abuse counseling sessions and has not failed any of the drug tests administered to him. He had an excellent record at Dollar Store, arriving at time and working well under his original manager. His termination was not the result of lateness, fighting or lack of effort. Mr. Knox worked very diligently at Dollar Store, and he was not at fault for losing the job. One day a new manager instructed him to lift and carry large, extremely heavy boxes through a series of narrow aisles. Mr. Knox complied despite concerns for his personal safety. When the supervisor asked Mr. Knox to do so again the following day, Mr. Knox told the supervisor that he believed such prolonged and heavy lifting without any protective equipment or assistive tools violated Dollar Store's work safety protocols. The manager insisted that he do it anyway, and rather than challenging the supervisor, Mr. Knox simply left the area. When he called to report the occurrence, he was told that he had been terminated. HR informed him that he was eligible for rehire.

As the result of these unforeseen circumstances, we request that the hearing be adjourned until January, 2021, by which time we expect that Mr. Knox will again be employed and will have an additional three months of diligent compliance with the other conditions of his supervised release. Mr. Knox has been in regular contact with my office during the past few months and we expect this to continue during the adjournment.

Please feel free to have your Chambers call me if you have any questions. I can best be reached at 917-270-6542.

Sincerely,


Lloyd Epstein

GRANTED. The conference is adjourned to January 12, 2021 at 10:30 a.m. The Clerk of Court is requested to terminate the motion at Dkt. No. 1154.

SO ORDERED.

10/28/2020



PAUL A. ENGELMAYER
United States District Judge